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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/696,855	10/26/2000	Kazumasa Yoshikawa	1232-4655	2813

27123 7590 11/02/2005
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EXAMINER

YE, LIN

ART UNIT PAPER NUMBER

2615

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/696,855	Applicant(s) YOSHIKAWA ET AL.	
	Examiner Lin Ye	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-54 filed on 10/05/2004 have been considered but are moot in view of the new ground(s) of rejection.
2. It should be noted that the application serial number was mistyped as "10/696,855" instead of 09/696,855 in the cover page of the amendment filed on 10/05/2004 by the applicants.
Therefore, the amendment was delayed to forward to the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S. C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
4. Claims 1-4, 6-16, 18-34, 36-45 and 47-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Parker et al. U.S. Patent 5,572,317.

Referring to claim 1, the Parker reference discloses in Figures 2, 3 and 4, an optical apparatus (base unit system 11 for the control of the field of view of a camera) comprising: an optical member (camera system 15 are consider as optical member, the camera 15 has optical lenses, such as ZOOM lens, see Col. 7, lines 63-64) constituting the optical apparatus

(11); memory means (e.g., the memory circuits of controller 26, see Col. 8, lines 7-8) for memorizing preset position information and preset speed information; wherein said preset position information corresponds to a position to which an operator intends to move said optical member when operating said optical apparatus and said preset speed information corresponds to a speed with which the operator intends to move said optical member when operating said optical apparatus (e.g., the operator in advance sets the zoom lens of camera position, location field of view and movement speed of camera by pressing preset buttons 71, 72, 73, 76 and 77 of the command keypad as shown in Figure 3 to a desired preset position and speed, see Col. 7, lines 64-67, Col. 8, lines 1-4, lines 12-16 and Col. 11, lines 1-5); memory instructing operation means (SET buttons 74 and 78) to be operated (pressed) for causing said memory means (the memory circuits of controller 26) to memorize the preset speed information (See Col. 8, lines 25-28); control means (12) executing preset drive control on said optical member (e.g., autotracking operation, see Col. 8, lines 34-38); wherein said control means (unit 12 including zooming, panning and tilting control means) is adapted to cause said memory means (the memory circuits of controller 26) to memorize arbitrary preset speed information in response to the operation of said memory instructing operation means, and to drive said optical member to a position corresponding to said memorized preset position information with a speed corresponding to said memorized preset speed information as (e.g., drive the camera to a particular position field of view with a speed corresponding the memorized preset position information with a speed corresponding to said memorized preset speed information. See Col. 8, lines 65-67, Col. 9, lines 1-11 and lines 45-50). **(It should be noted, the examiner understands the applicant specification states the**

preset position and speed information is only for adjusting zooming optical lens.

However, the claim does not defined as this way. For this reason, the preset position information and speed information of the optical member can be considered either as the zooming, panning or tilting motion of camera too).

Referring to claim 2, the Parker reference discloses wherein: said control means (remote control unit 12) is adapted, when said optical member is driven and said memory instructing operation means is operated (e.g., buttons 71, 72, 74, 76 and 77 of command keypad of unit 12), to cause said memory means to memorize the actual drive speed of said optical member at the time of operation of said memory instructing operation means as the preset speed information (See Col. 8, lines 1-28).

Referring to claim 3, the Parker reference discloses drive instructing operation means (buttons 76 and 77) to be operated for generating a drive speed command (FAST or SLOW) for said optical member corresponding to the operation amount; wherein said control means is adapted, when said drive instructing operation means is operated and said memory instructing operation means is operated, to cause said memory means to memorize the drive speed command at the time of operation of said memory instructing operation means as the preset speed information (see Col. 8, lines 15-28).

Referring to claim 4, the Parker reference discloses wherein said control means is adapted, in the execution of said preset drive control, to compare the actual drive speed of said optical member with a drive speed corresponding to the preset speed information and to control (adjustable by Speed commands) to increase or decrease the actual drive speed of

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said optical member in such a manner that said two drive speeds substantially coincide (two drive speeds substantially during in Cycle mode, See Col. 9, lines 4-11).

Referring to claim 6, the Parker reference discloses speed selecting operation means to be operated (by depressing SET switch 74) for selecting the drive speed of said optical member either at a drive speed corresponding to the preset speed information (continue moving at the same rate) or at a maximum drivable speed (Fastest by Speed commands in step 10); wherein said control means is adapted to drive said optical member with the drive speed selected by said speed selecting operation means (switches 74, 76 and 77, see Col. 8, lines 25-28 and Col. 9, lines 5-11).

Referring to claim 7, the Parker reference discloses wherein control-starting operation means (AUTOTRACK switch 69) to be operated for starting said preset drive control (See Col. 8, lines 59-64).

Referring to claim 8, the Parker reference discloses wherein said control means is adapted to interrupt (START/STOP switch 68) said preset drive control in response to the operation of said control starting operation means in the course of said preset drive control (See Col. 9, lines 12-16).

Referring to claim 9, the Parker reference discloses all subject matter as discussed with respected to same comment as with claims 1 and 8; and drive instructing operation means to be operated for generating a drive speed command for said optical member according to the operation amount (See Col. 9, lines 17-22).

Referring to claim 10, the Parker reference discloses position detection means (position indicator circuitry 38 and 39) for detecting the actual drive position of said optical member;

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wherein said control means is adapted, in response to the operation of said memory instructing operation means, to cause said memory means to memorize the actual drive position of said optical member detected by said position detection means as the preset position information (See Col. 8, lines 6-10).

Referring to claim 11, the Parker reference discloses control starting operation means (AUTOTRCK switch 69) to be operated for starting the preset drive control (autotracking functions); wherein said control means is adapted, in response to the operation of said memory instructing operation means (SET button 74 pressed) and to the operation of said control starting operation means, to cause said memory means to memorize the actual drive position of said optical member (camera) detected by said piston detection means (position indicator circuitry 38 and 39) as the preset position information (See Col. 8, lines 1-28 and 58-64).

Referring to claim 12, the Parker reference discloses wherein said control means is adapted, in response to the operation of said control starting operation means (69) while said memory instructing operation means (74) is operated or simultaneous with the operation of said memory instructing operation means, to cause said memory means to memorized the actual drive position said optical member detected by said position detection means as the preset position information (See Col. 8, liens 58-67 and Col. 9, lines 1-11).

Referring to claim 13, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 1.

Referring to claim 14, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 2.

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Referring to claim 15, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 3.

Referring to claim 16, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 4.

Referring to claim 18, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 6.

Referring to claim 19, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 7.

Referring to claim 20, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 8.

Referring to claim 21, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 9.

Referring to claim 22, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 10.

Referring to claim 23, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 11.

Referring to claim 24, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 12.

Referring to claim 25, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 1.

Referring to claim 26, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 2.

Referring to claim 27, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 3.

Referring to claim 28, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 6.

Referring to claim 29, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 1, and the Parker reference discloses the memory (e.g., the memory circuits of controller 26, see Col. 8, lines 7-8) for memorizing preset speed information and preset direction information (See Col. 8, lines 25-28).

Referring to claim 30, the Parker reference discloses all subject matter as discussed in respected with same comments to claims 2 and 29.

Referring to claim 31, the Parker reference discloses all subject matter as discussed in respected with same comments to claims 3 and 29.

Referring to claim 32, the Parker reference discloses all subject matter as discussed in respected with same comments to claims 10-12 and 29.

Referring to claim 33, the Parker reference discloses all subject matter as discussed in respected with same comments to claims 3 and 29.

Referring to claim 34, the Parker reference discloses all subject matter as discussed in respected with same comments to claims 4 and 29.

Referring to claim 36, the Parker reference discloses all subject matter as discussed in respected with same comments to claims 6 and 29.

Referring to claim 37, the Parker reference discloses all subject matter as discussed in respected with same comments to claims 7 and 29.

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Referring to claim 38, the Parker reference discloses all subject matter as discussed in respected with same comments to claims 7-8 and 29.

Referring to claim 39, the Parker reference discloses all subject matter as discussed in respected with same comments to claims 9 and 29.

Referring to claim 40, the Parker reference discloses all subject matter as discussed in respected with same comments to with claim 29.

Referring to claim 41, the Parker reference discloses all subject matter as discussed in respected with same comments to with claim 30.

Referring to claim 42, the Parker reference discloses all subject matter as discussed in respected with same comments to with claim 31.

Referring to claim 43, the Parker reference discloses all subject matter as discussed in respected with same comments to claims 10-12 and 29.

Referring to claim 44, the Parker reference discloses all subject matter as discussed in respected with same comments to with claim 33.

Referring to claim 45, the Parker reference discloses all subject matter as discussed in respected with same comments to with claim 34.

Referring to claim 47, the Parker reference discloses all subject matter as discussed in respected with same comments to claims 6 and 29.

Referring to claim 48, the Parker reference discloses all subject matter as discussed in respected with same comments to with claim 37.

Referring to claim 49, the Parker reference discloses all subject matter as discussed in respected with same comments to with claim 38.

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Referring to claim 50, the Parker reference discloses all subject matter as discussed in respected with same comments to with claim 39.

Referring to claim 51, the Parker reference discloses all subject matter as discussed in respected with same comments to with claim 29.

Referring to claim 52, the Parker reference discloses all subject matter as discussed in respected with same comments to with claim 30.

Referring to claim 53, the Parker reference discloses all subject matter as discussed in respected with same comments to claim 31.

Referring to claim 54, the Parker reference discloses all subject matter as discussed in respected with same comments to claims 6 and 29.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 5, 17, 35 and 46 rejected under 35 U.S. C. 103(a) as being unpatentable over Parker et al. U.S. Patent 5,572,317 in view of Kawamura et al. U.S Patent 4,699,487.

Referring to claim 5, the Parker reference discloses all subject matter as discussed in respected to claim 1, except that the Parker reference does not explicitly show a display means for displaying (indicating to user) that said preset drive control is executed.

The Kawamura reference discloses in Figure 13, a camera has a plurality of modes (control operations, see Col. 21, lines 33-46); a display element (3a) of the display means (3) is made to blink, informing that the camera has been switched to the single shooting automatic (preset drive control) speed change mode (See Col. 22, lines 59-63). The Kawamura reference is evidence that one of ordinary skill in the art at the time to see more advantages for the camera apparatus can comprise a display means for indicating which mode (control operation) is executed so that user can be easy to know what control operation of camera in the present, specially for the camera have a plurality of modes for different control operation. For that reason, it would have been obvious to one of ordinary skill in the art at the time to modify the system of Parker ('317) by providing a display means for displaying (indicating to user) that said preset drive control is executed as taught by Kawamura ('487).

Referring to claim 17, the Parker and Kawamura references disclose all subject matter as discussed in respected with same comment to claim 5.

Referring to claim 35, the Parker and Kawamura references disclose all subject matter as discussed in respected with same comment to claims 5 and 29.

Referring to claim 46, the Parker and Kawamura references disclose all subject matter as discussed in respected with same comment to claims 5 and 29.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Kawamura et al. U.S. 2003/0128288 discloses a camera can memorize the positions of the focus lens and the zoom lens 146 as the preset positions.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lin Ye whose telephone number is (571) 272-7372. The examiner can normally be reached on Mon-Fri 8:00AM-5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Lin Ye', with a long horizontal flourish extending to the right.

Lin Ye
Examiner
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October 27, 2005